

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOANNA FERGUSON, by and through
her Guardians ad Litem, *et al.*,

Plaintiffs,

vs.

CLARK COUNTY SCHOOL DISTRICT;
et al.,

Defendants.

Case No. 2:08-cv-00031-JCM-GWF

ORDER

Motion to Compel (#86)

This matter comes before the Court on Clark County School District's Motion to Compel Production of Records from Child Custody Proceedings Regarding Christopher Walker (#86), filed on March 12, 2012. No response was filed.

This case is based on Defendant Mamie Hubbard-Washington's alleged verbal and physical abuse of Plaintiff Christopher Walker from January 2006 to May 2007 at Doris Reed Elementary School. Ms. Washington has already been convicted on five counts of child abuse. Plaintiff by and through his parents/guardian ad litem bring this suit alleging that CCSD failed to appropriately investigate complaints made by parents and aides regarding the teacher assigned to the autistic classroom. During the relevant time period, Christopher's parents, Bonnie Walker and Robert Kauffman, were going through a contested divorce proceeding wherein the continued placement of Christopher at Doris Reed was a matter in dispute. Defendant Clark County School District (CCDS) requests the Court compel the production of any family court records that contain statements relating to the Bonnie Walker or Robert Kauffman's observations or impressions of


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1 their child's care and treatment at Doris Reed. CCSD argues that these records are relevant as
2 both cases relate to the relevant time period and both cases discuss Christopher's well-being.

3 Plaintiffs failed to file a response to this motion. Pursuant to LR 7(d), "failure of an
4 opposing party to file points and authorities in response to any motion shall constitute a consent to
5 the granting of the motion." The Court further finds that the family court records relating to
6 Christopher's education at Doris Reed are relevant to this case. The Court will therefore grant
7 CCSD's request. Given the potential confidential nature of family court proceedings, the Court
8 will only compel disclosure of family court records or documents that contain statements relating
9 to Bonnie Walker's or Robert Kauffman's impressions or observations of Christopher Walker's
10 education at Doris Reed. Accordingly,

11 **IT IS HEREBY ORDERED** that Clark County School District's Motion to Compel
12 Production of Records from Child Custody Proceedings Regarding Christopher Walker (#86) is
13 **granted**. Plaintiffs shall produce any family court records or documents that contain statements
14 relating to Bonnie Walker's or Robert Kauffman's impressions or observations of Christopher
15 Walker's education at Doris Reed to CCSD no later than **April 30, 2012**.

16 DATED this 9th day of April, 2012.

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19 GEORGE FOLEY, JR.
20 United States Magistrate Judge
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